

SENATE BILL 263

By Niceley

AN ACT to amend Tennessee Code Annotated, Title 68,  
Chapter 104, relative to display operators.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 68-104-208(a), is amended by deleting the subsection and substituting the following:

(a) The fire marshal shall establish a program of certification for outdoor fireworks display operators, proximate pyrotechnic display operators, and flame effect display operators. To receive certification, an applicant must apply for certification to the fire marshal on a form to be prescribed by the fire marshal, must be at least twenty-one (21) years of age, and must not have been convicted of or pleaded guilty or nolo contendere to a state or federal felony. In addition, an applicant must meet the following requirements for the areas in which the applicant desires certification:

(1) To be certified as an outdoor fireworks display operator, the applicant must:

(A) Pass a written examination that tests outdoor display operator knowledge, approved by and conducted under the auspices of the fire marshal;

(B) Show that the applicant has worked under competent supervision on at least three (3) outdoor fireworks displays in the three (3) years immediately preceding the application; and

(C) Pay a certification fee not to exceed one hundred fifty dollars (\$150) to be set by rule by the fire marshal;

(2) To be certified as a proximate pyrotechnic display operator, the applicant must:

(A) Pass a written examination that tests pyrotechnic special effects operator knowledge, approved by and conducted under the auspices of the fire marshal;

(B) Show that the applicant has worked under competent supervision on at least five (5) proximate pyrotechnic displays in the three (3) years immediately preceding the application; and

(C) Pay a certification fee not to exceed one hundred fifty dollars (\$150) to be set by rule by the fire marshal; and

(3) To be certified as a flame effect display operator, the applicant must:

(A) Pass a written examination that tests flame effect operator knowledge, approved by and conducted under the auspices of the fire marshal;

(B) Show that the applicant has worked under competent supervision on at least five (5) flame effect displays in the three (3) years immediately preceding the application; and

(C) Pay a certification fee not to exceed one hundred fifty dollars (\$150) to be set by rule by the fire marshal.

SECTION 2. Tennessee Code Annotated, Section 68-104-208(d)(1), is amended by deleting the language "two (2) years" and substituting the language "three (3) years"; and by deleting the language "two-year certification" and substituting the language "three-year certification".

SECTION 3. Tennessee Code Annotated, Section 68-104-208(d)(2), is amended by deleting the language "three (3)".

SECTION 4. For the purpose of promulgating rules, this act takes effect upon becoming law, the public welfare requiring it. For all other purposes, this act takes effect July 1, 2021, the public welfare requiring it.